

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

O.J.APPEAL No 35 of 1997

in

COMPANY PETITION No 171 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE and

MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?

2. To be referred to the Reporter or not?

3. Whether Their Lordships wish to see the fair copy of the judgement?

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?

5. Whether it is to be circulated to the Civil Judge?
(No. 1 to 5 NO)

SHREE PREM RANG SYNTHETICS PVT.LTD.

Versus

AGENCIES (INDIA) CORPORATION

Appearance:

1. O.J.APPEAL No. 35 of 1997
MR PK JANI for Appellant
MR SN SOPARKAR for Respondent

CORAM : MR.JUSTICE S.D.DAVE and

MR.JUSTICE Y.B.BHATT

Date of decision: 16/09/97

ORAL JUDGEMENT

Per: S.D. Dave, J :-

In the present O.J. Appeal, we are concerned with the orders pronounced by the Ld. Company Judge in Company Petition No. 171 of 1996 dated December 05, 1996, under which the Appellant Company was ordered to be wound up. Now, ld. counsel Mr. P.K. Jani for the Appellant makes a statement that, all the amount which the petitioning creditor, namely the Respondent was claiming from the Company, has been paid off in full along with interest and now, therefore, the Company has nothing to discharge towards the Respondent. This position is being confirmed by ld. counsel Mr. S.N. Soparkar, who appears on behalf of the Respondent - the original petitioning creditor. In view of this, the present O.J. Appeal requires to be allowed. We order accordingly. The impugned orders pronounced by the Ld. Company Judge stands revoked and the Company Petition stands dismissed. Appeal stands disposed of with these orders. No costs.

/vgn.